

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

NO. 3:19-cr-00452-X

BRIAN CARPENTER (01)
JERRY HAWRYLAK (02)

THE UNITED STATES OF AMERICA’S STATUS REPORT

Pursuant to the Court’s order, the United States of America files this status report to update the Court on proceedings in this matter. (*See* Dkt. 326.) On September 5, 2025, the Fifth Circuit denied the Government’s petition for rehearing *en banc* in Defendant Brian Carpenter’s appeal and reissued the mandate vacating his conviction and ordering a new trial in his case. *See United States v. Carpenter*, No. 24-11076, Order (5th Cir. Sept. 5, 2025). On October 24, 2025, pursuant to the parties’ joint motion to vacate, the Fifth Circuit vacated Defendant Jerry Hawrylak’s conviction and ordered a new trial in his case. *See United States v. Hawrylak*, No. 24-11076, Orders (5th Cir. Oct. 24, 2025).

Following the Fifth Circuit’s issuance of its order and mandate today, counsel for the Government conferred with appointed counsel for Defendant Hawrylak. Based on that conference, it is the Government’s understanding that Defendant Hawrylak will be filing the following motions with the Court:

- a motion for Defendant Hawrylak’s release from custody;
- a motion to withdraw as counsel for Defendant Hawrylak now that the appellate proceedings have concluded; and

- a motion to appoint Defendant Hawrylak new trial counsel in this matter.

The Government is unopposed to all three motions, provided that Defendant Hawrylak is released from custody on conditions of release and supervision by Pretrial Services.

The Government requests a trial date as soon as is convenient for the Court. The Government will confer with counsel for the Defendants regarding any potential pretrial resolution in this matter.

Respectfully submitted,

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ACTING CHIEF, FRAUD SECTION

/s/ Ethan Womble

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